



# UNITED STATES PATENT AND TRADEMARK OFFICE

7  
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/496,893   | 02/02/2000  | Stephen J. Brown     | 014030.0147N1US /   | 6810             |
| 60683  | 7590        | 07/18/2006           | EXAMINER            |                  |
| HEALTH HERO NETWORK, INC.<br>2000 SEAPORT BLVD.<br>SUITE 400<br>REDWOOD CITY, CA 94063 |             |                      | SMITH, CAROLYN L    |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 1631                |                  |

DATE MAILED: 07/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

09/496,893

|                                 |             |   |                     |
|---------------------------------|-------------|---|---------------------|
| APPLICATION NO./<br>CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR /<br>PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|

EXAMINER

ART UNIT      PAPER

20060706

DATE MAILED:

Commissioner for Patents

The communication, filed on 5/8/06, is a non-responsive amendment, because of the following reasons:

- 1) The status of ALL claims is not listed (i.e. there is no indication of the status of claims 69-82 in the latest claim set).
- 2) The status of the claims which ARE listed is incorrect. The status should be indicated relative to the last proper amendment; i.e. the one filed 7/15/05. As such, claims 53-68 should be listed as AMENDED.
- 3) The amendment filed on 5/8/06 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because, for example, claim 53, filed 7/15/05, was directed to a method of correlating responses whereas claim 53, filed 5/8/06, is now directed to a database and data processing system.

Applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. NO EXTENSIONS OF THIS TIME PERIOD WILL BE GRANTED.

Papers related to this application may be submitted to Technical Center 1600 by facsimile transmission. Papers should be faxed to Technical Center 1600 via the PTO Fax Center. The faxing of such papers must conform with the notices published in the Official Gazette, 1096 OG 30 (November 15, 1989). The Fax Center number is (571) 273-8300.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carolyn Smith, whose telephone number is (571) 272-0721. The examiner can normally be reached Monday through Thursday from 8 A.M. to 6:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Wang, can be reached on (571) 272-0811. Any inquiry of a general nature or relating to the status of this application should be directed to Legal Instruments Examiner Tiffany Tabb whose telephone number is (571) 272-0556.

Carolyn Smith  
July 10, 2006  
09/496893

MARJORIE A. MORAN  
PRIMARY EXAMINER

*Marjorie A. Moran*  
7/13/06